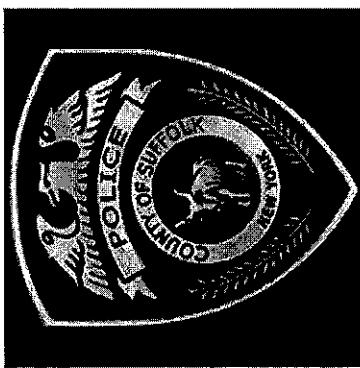


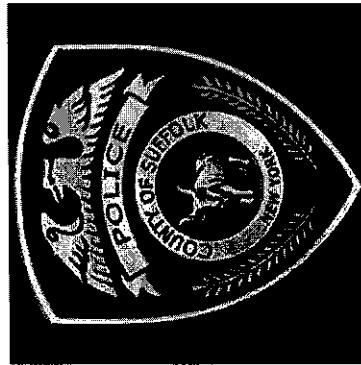
EXHIBIT 5



PISTOL LICENSE BUREAU

COMMAND 5800

30 YAPHANK AVENUE
YAPHANK NY, 11980



PISTOL LICENSE BUREAU

- Office Hours: Monday -Friday 9:00 A.M. – 4:30 P.M. Office Phone: 631-852-6575
- Staffing: 1 Lieutenant, 1 Sergeant, 11 Police Officers, 4 Civilian Applicant Investigators, 2 Administrative assistants.

*As of the end of 2021 there were **43,249** active pistol licenses and **132,032** handguns in the five western towns of Suffolk County. (S.C. Police District)

PENAL LAW SECTION 400:

- The New York State Penal Law Section 400 mandates certain administrative procedures concerning the issuance, renewing, filing, cancellation, and suspension/revocation of licenses to possess, carry, and deal in firearms. This section pertaining to pistol licensing was first introduced into the Penal Law in 1881.

*This section of law sets fees charged by the Pistol Licensing Bureau.

PISTOL LICENSE JURISDICTIONS

- New York State currently has 59 pistol licensing jurisdictions. Suffolk County is unique because it is the only county in the state that has two separate licensing jurisdictions.
- The Suffolk County Police Commissioner is the Licensing Officer of the 5 western towns; Babylon, Islip, Huntington, Smithtown and Brookhaven.
- The Suffolk County Sheriff is the Licensing Officer for the remaining towns in the East End of Suffolk County.
- Of the 59 licensing jurisdictions, 55 issue pistol licenses through the courts with the county judge being the licensing officer. Background investigations however are conducted by the local law enforcement agencies.
- The remaining jurisdictions; New York City, Nassau, Suffolk and Westchester have licensing officers that are either Police Commissioners or a Sheriff.
- All upstate counties except Westchester had lifetime licenses until the issuance of the NYSAFE Act.

THE NEW YORK SECURE AMMUNITION AND
FIREARMS ENFORCEMENT ACT OF 2013

- The New York Secure Ammunition and Firearms Enforcement Act of 2013, commonly known as the NY SAFE Act, is a gun regulation law in the state of New York. The law was passed by the New York State Legislature and was signed into law by Governor of New York Andrew Cuomo in January 2013. The legislation was written in response to the Sandy Hook Elementary School shooting in Newtown, Connecticut, and the Webster, New York, shooting. Cuomo described the law as the toughest gun control law in the United States. This law mandates that pistol licenses in all counties must be renewed every 5 years.

NEW YORK STATE RIFLE AND PISTOL ASSOCIATION, INC. VS. BRUEN

THE CASE'S DECISION WAS RELEASED ON JUNE 23, 2022. IN A 6-3 OPINION AUTHORED BY JUSTICE CLARENCE THOMAS, THE SUPREME COURT HELD THAT THE STATE LAW WAS UNCONSTITUTIONAL AS IT INFRINGED ON THE RIGHT TO KEEP AND BEAR ARMS.

NYS PREVIOUSLY REQUIRED APPLICANTS TO SHOW "PROPER CAUSE" (A SPECIAL NEED FOR SELF-PROTECTION DISTINGUISHABLE FROM THAT OF THE GENERAL COMMUNITY), BEFORE THEY CAN BE LICENSED TO CARRY A CONCEALED WEAPON IN PUBLIC.

RIGHT TO SELF PROTECTION EXTENDS OUTSIDE THE HOME.

NEW YORK CONCEALED CARRY IMPROVEMENT ACT

- As of September 1st, 2022, applicants for concealed carry licenses will be required to meet revised eligibility requirements and complete a state regulated firearms training course.
- Established Sensitive and Restricted locations severely limiting where licensees can legally carry concealed. Criminal possession of a firearm, rifle or shotgun in a sensitive or restricted area is a Class E felony.
- Numerous pending court cases challenging legality of New York's CCIA.

TYPES OF LICENSES IN NEW YORK STATE

Class

- Dwelling (Target and Hunting)
- Business License
- Statutory Employment Ex. Auxiliary Police, Security Guard, A Judge, Messenger employed by a banking institution or express company.
- Carry Concealed * Requires 16 hour course w/ 2 hours of live fire.
- Semiautomatic Rifle * Same as dwelling license in Suffolk County.
- Collector

APPLICATION/INTERVIEW PROCESS



- Applicant completes Pistol License Applicant Questionnaire.
- Applicant responds to the Pistol License Bureau office for an in person interview. At this point of the process an officer/investigator will take photos and fingerprints of the applicant.
- The assigned Officer/Investigator conducts a background investigation.
- NYS Office of Mental Health Check to see if applicant has been adjudicated "Mentally Defective".
- E-Justice Check- NCIC/ Brady Handgun Inquiry to check if applicant is prohibited from purchasing/possessing firearms.
- Fingerprint Response Summary- Lists prior arrests (includes out state arrests)
- Additional database checks include IRS, Multi System Check, Intel Debriefs, Brady, State/Local Order of Protections, DMV, as well as Central Records, Intelligence Section, and Narcotics Section.

APPLICANT REQUIREMENTS FOR A LICENSE

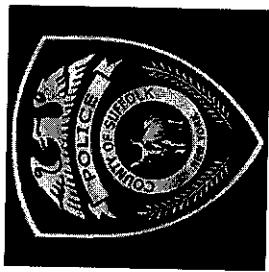
- Be of good moral character.
- Have no conviction if a felony or other serious offense, as defined in Section 265.00, Sub 17 and section Disclose any history of mental illness.
- Be free from any mental disorders, defects, or disease that would impair his or her ability to safely possess or use a firearm.
- Not have been involuntarily committed to a facility under the jurisdiction of an office of the Department of Mental Hygiene pursuant to article nine or fifteen of the Mental Hygiene Law or has not been civilly confined in a secure treatment facility pursuant to article ten of the M.H.L.
- Reside within or maintain a principle place of business within the confines of the 5 western towns of Suffolk County.
- Be an applicant concerning whom no good cause exists for the denial of such license.

REQUIREMENTS CONTINUED

- Be at least 21 years of age or older, provided however that where such applicant has been honorable discharged from the United States Army, Navy, Marine Corps., Air Force, or Coast Guard, or the National Guard of the State of New York, no such age restriction shall apply.
- Who has not has a license revoked or who is not under a suspension or ineligibility order issued pursuant to the provisions of section 530.14 of the C.P.L. or section 842(a) of the family court act.
- Anyone who has not been convicted of a misdemeanor crime of domestic violation.
- Not have a guardian appointed for him or her pursuant to any provision of state law, based on a determination that as a result of marked subnormal intelligence, mental illness, incapacity, condition or disease, he or she lacks the mental capacity to contract or manage his or her own affairs.

PISTOL LICENSE DISQUALIFIERS PURSUANT TO FEDERAL LAW

- Not be a fugitive from justice.
- Not be an unlawful user of or addicted to any controlled substance as defined in section 21 U.S.C. 802.
- Not to be residing in the United States illegally or unlawfully.
- Having been discharged from the Armed Forces under dishonorable conditions.
- Being an individual who, having been a citizen of the United States, has renounced his citizenship.
- Being the subject of a court order/hearing.



RULES FOR CARRYING WEAPONS

- Firearms when properly possessed may be carried concealed on their person. It is recommended that a license holder transport their firearm, unloaded, in a box or a bag. Firearms left in an unattended vehicle, must be unloaded and locked in a fire, impact, and tamper resistant depository that is hidden from view.
- Firearms may only be carried for the purpose that appears on their license. When carried on their person, the firearm must be concealed. The only exception to the concealment requirement will be the following:
 1. While working Uniform Security
 2. While working Uniform Auxiliary
 3. While at target range for the purpose of target shooting
 4. While in the field hunting

Important note: A New York State pistol license is only valid in the State of New York. Unless it is validated by New York City, they may not take their handguns into the city this includes carry concealed licenses with a few exceptions. Retired Police Officers and Federal Law Enforcement are authorized to carry in NYC.

INCIDENTS THAT REQUIRE POLICE REPORTS

1. The loss or theft of a firearm.
2. Theft of a pistol license.
3. The discharge of a firearm other than lawful practice at authorized range or while hunting.

PISTOL LICENSE INFORMATION HANDBOOK

The Pistol License Information Handbook has been prepared as guide for pistol license holders. It provides information pertaining to the laws, rules, procedures, and regulations governing pistol licensing as well as the duties and responsibilities of a licensee. Every licensee must go on-line (suffolkpd.org) to review same. During the application process each applicant must sign a Pistol License Information Handbook acknowledgement form.

GROUND FOR SUSPENSION OR REVOCATION

1. Improper use of a firearm/ unnecessary display firearm.
2. Failure to safeguard/lost firearm
3. Failure to report lost or stolen firearm
4. Failure to properly register a firearm
5. Failure to notify PLB of incident that requires notification (listed in handbook)
6. Carrying a firearm out of classification
7. When a license or household member becomes the subject of an Arrest, Indictment, Field Appearance Ticket, Order of Protection or any conviction, other than a traffic summons, in any jurisdiction
8. A psychiatric episode or psychiatric history of a licensee or household member. Example: Voluntary or Involuntary Commital.
9. Volatile domestic incidents/ Incidents were licensee or household member is intoxicated and/or could be a threat to himself or another.

REASONS TO CONTACT PISTOL LICENSE SECTION

1. Contact the P.L.B. whenever a pistol licensee is arrested: Call and fax completed reports/confirm with a phone call.
2. If a pistol license is confiscated or surrendered, make sure all weapons are accounted for. Complete Property Receipt, Invoice weapons to the Property Bureau, Send pistol license to the P.L.B.
3. Any incident involving a Gun Dealer or Gun Smith, notify the P.L.B. Be aware in the State of NY a person must have a New York State Dealers License(issued by the Licensing Bureau) and a Federal Firearms License in order to buy or sell handguns.

REASONS TO CONTACT P.L.B. CONTINUED

- Contact the P.L.B. whenever a pistol licensee is arrested: Call and fax completed reports/confirm with a phone call.
- If a pistol license is confiscated or surrendered, make sure all weapons are accounted for. Complete Property Receipt, Invoice weapons to the Property Bureau, Send pistol license to the P.L.B.
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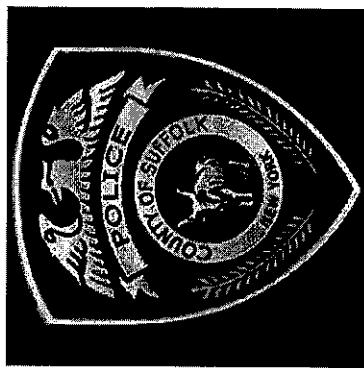
4. Pistol licensee is involved in a **domestic incident**. Fax copy to PLB 2-6670. CPL 140.10 authorizes officers to take custody of firearms in certain situations.
 - A. An officer who responds to a report of a family offense *may* take into temporary custody any firearm, etc. that is in plain sight, or is discovered pursuant to consensual or other lawful search.
 - B. An officer *shall* take temporary custody of any such weapon that is in the possession of any person arrested for the commission of a family offense or suspected of its commission.
 - C. An officer shall attempt to obtain the weapon(s) and license by voluntary surrender for safe keeping purposes under the following circumstances:
 - Licensee is intoxicated and could be a threat to himself or another person.
 - Licensee threatened bodily harm to the complainant or another person.
 - Licensee is behaving irrationally and causes a reasonable person to be fearful.

******* Notify A Supervisor*******

- In those cases where a licensee refuses to surrender his/her license and handgun(s) he/she shall be advised that the department policy is to revoke the license under circumstances of non-cooperation per Penal Law section 400. (Notify Pistol License Bureau)
- The Department may contact the District Attorney's Office for a search and/or arrest warrant of licensee. In addition, application for an Extreme Risk Protection Order should be considered and the appropriate investigative command (generally the precinct crime section or precinct detective squad) will follow up with the victim to facilitate application for an order.

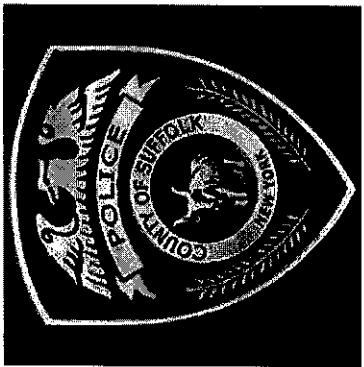
EMPLOYEE WEAPONS

- When an active member of the Suffolk County Police Department wishes to buy or sell guns they must complete an Employee Weapon Record PDCS-1029 form. Also known as a "C" form. "C" forms are available at the Pistol License Bureau. ***DO NOT COMPLETE AND MAIL IN. All sales/purchases must go through a dealer. Bring paperwork and handgun (if purchased) to PLB office for inspection. "C" form will then be completed and firearm will be added or removed from license.
- P.L.B. 631-852-6311



PISTOL LICENSE BUREAU

10/25/22
BY WILLIAM WALSH



Pistol License Bureau

- **43,249** active pistol licenses
- **132,032** registered handguns in the Suffolk County Police District
Staffing: 1 Lieutenant, 1 Sergeant, 7 Police Officers, 3 Civilian Applicant Investigators, 5 Administrative assistants.

OBJECTIVES

- Understand the Functions of the Pistol Licensing Bureau
- Interpret the Pistol Licensing Information Handbook
- Correctly identify seven (7) classes of Pistol License Endorsements
- Identify the steps to complete a firearm transaction
- Identify the parts of the Pistol License Card

PISTOL LICENSE JURISDICTIONS

- New York State currently has 59 pistol licensing jurisdictions.
- Suffolk County has 2 jurisdictions (SCPD and SCSO).
- Suffolk County Police Department honors Pistol Licenses from all NYS licensing jurisdictions.
- Important note: Retired Police Officers and Federal Law Enforcement are authorized to carry in NYS

PISTOL LICENSING GUIDELINES

- Federal: Brady Handgun Act and Gun Control Act
- New York State: PL, CPL, and S.A.F.E. Act
- Suffolk County: SCPD Policy and PLB Handbook

TYPES OF PLB INVESTIGATIONS

- New Applications
- Suspensions
- Revocations
- Renewals
- Cancellations

APPLICATION/INTERVIEW PROCESS

- Submit Pistol License Applicant Questionnaire.
- The assigned Officer/Investigator conducts investigation.
- Applicant responds to the Pistol License Bureau office for an in person interview.
- Database checks include IRS, Multi System Check, Intel Debriefs, Brady, State/Local Order of Protections, DMV, as well as Central Records, Intelligence Section, and Narcotics Section.
- Checks are done on household members too.

PISTOL LICENSE INFORMATION HANDBOOK

- Located at: suffolkpd.org
- Info in book includes the PLB rules and regulations.
- Every licensee signs an acknowledgement form and is responsible for the information in handbook.

TYPES OF LICENSE ENDORSEMENTS

Endorsements:

- Sportsman
- Business License
- Employment
- Security
- Auxiliary Police
- Carry
- Retired Law Enforcement (Full Carry)

LEOSA

- Law Enforcement Officers Safety Act (H.R. 218)
- Qualified Active and Retired Law Enforcement Officers can carry in any jurisdiction in U.S.
- Requires Photo ID from their agency
- Must qualify at Firearm Training every 12 months

FIREARM TRANSACTIONS

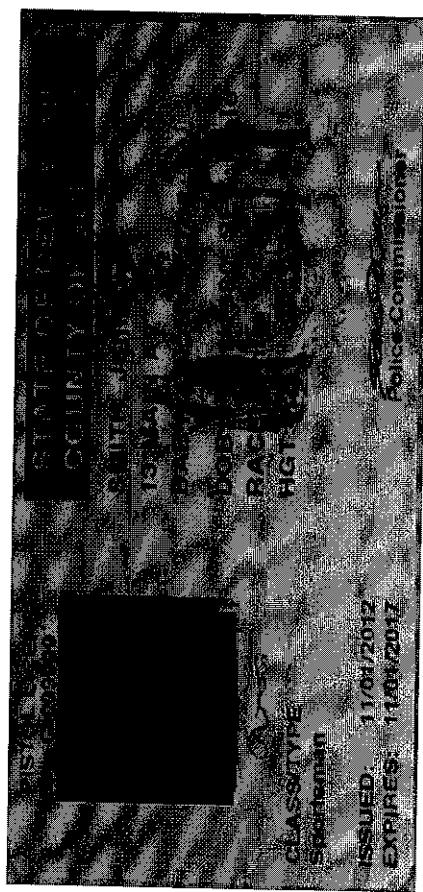
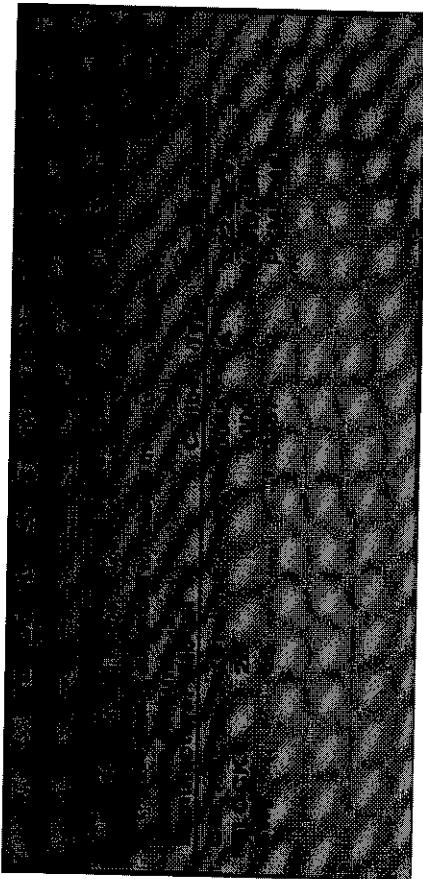
- Licensee will respond to PLB with Sales Receipt and photo of firearm from a Licensed Firearm Dealer.
- Licensee will receive Purchase Document and an updated license from PLB.
- Licensee will return to Gun Dealer with above items to complete transaction.
- Active Law Enforcement must use licensed Gun Dealer
- Exceptions: transactions between spouses, domestic partners and parent/children. Require both parties to respond to PLB.

EMPLOYEE WEAPONS

- When an active member of the Suffolk County Police Department buys or sells a handgun, they must complete an Employee Weapon Record PDCS-1029.
- DO NOT COMPLETE AND MAIL IN.
- Respond to PLB to complete transaction.

RULES FOR CARRYING WEAPONS

- Firearms when properly possessed may be carried concealed on their person.
- It is recommended that a license holder transport their firearm, unloaded, in a box or a bag.
- Exceptions to concealed carry:
 1. While working Uniform Security/ Uniformed Auxiliary/ Uniformed Employment
 2. While at target range for the purpose of target shooting.
 3. While in the field hunting.



COS 0171

GROUND FOR SUSPENSION OR REVOCATION

- Failure to report lost or stolen firearm.
- When a license or household member becomes the subject of an Arrest, Indictment, Field Appearance Ticket, Order of Protection in any jurisdiction.
- A psychiatric episode of a licensee or household member.
- Volatile domestic incidents.
- Failure to cooperate and comply with requests by PLB and/or law enforcement personnel.

REMOVING FIREARMS

- If firearms must be removed, **YOU MUST TAKE POSSESSION**
- Check guns against the pistol license
- Check the license status of all household members
- Take the Pistol License Card(s)

EYES AND EARS

- Remember to properly document and forward required reports
- Relay questionable behavior
- Check Precinct Bulletins
- Contact PLB with any firearms related questions.
- P.L.B. 631-852-6311
- Office hours 0800 to 2300 hours. Overnight contact Duty Officer 2-6410.